



STATE MINING AND GEOLOGY BOARD

EXECUTIVE OFFICER'S REPORT



ARNOLD
SCHWARZENEGGER
GOVERNOR

For Meeting Date: April 9, 2009

Agenda Item No. 8: Review and Establishment of the Board's Committees Pursuant to the Board's Bylaws (III Organization).

INTRODUCTION: The State Mining and Geology Board (SMGB) appoints committees to assist in its work. Currently, the SMGB has the following four committees, which were approved at the SMGB's regular business meeting on January 12, 2005:

- Geohazards
- Minerals & Geologic Resources
- Policy & Legislation
- Surface Mining Standards

Committees are created by a majority affirmative vote of the total authorized membership of the SMGB (i.e., 5 members). The SMGB's present list of committees and membership was formally adopted on January 16, 2003.

Committee members are appointed by the SMGB's Chairperson, and serve at the pleasure of the Chairperson. The Chairperson may also serve as an ex-officio member of each committee, and may vote on committee issues. The Bylaws do not limit the committee members' terms, define special requirements, or limit the size of the committees; however, a committee may not constitute a quorum of the SMGB (5 members) including the Chairman, when sitting as ex-officio member.

STATUTORY/ REGULATORY/ BYLAWS CONSIDERATIONS: The SMGB's Bylaws state:

"Committees: Committees may be created by a majority affirmative vote of the total authorized membership of the Board. Members of such committees shall be appointed by, and shall serve at the pleasure of, the Chairperson, who may serve as an ex-officio member of each committee. The Chairperson shall annually review the need for, and the function of, each committee and make recommendations to the Board for changes as appropriate."

DISCUSSION: The SMGB's Bylaws require the Chairperson annually to review the need for and functions of each committee and make recommendations to the SMGB for changes. The Executive Officer has reviewed the activities and performances of the SMGB's current committees, and suggests the following:



Executive Officer's Report

- Geohazards Committee: This current standing committee should remain. The committee's responsibilities and activities will continue. Alquist-Priolo Earthquake Fault Zone maps continue to be revised by the California Geological Survey and will require consideration by the Committee, as will the production and publication of a series of Seismic Hazards Maps under the Seismic Hazards Mapping Act. The Committee has also been the link between the Seismic Safety Commission and the SMGB, and currently oversees the Technical Advisory Committee on Evaluation of the Alquist-Priolo Earthquake Fault Zoning Act. In 2009, this Committee may consider formulation of a Technical Advisory Committee and undertaking a re-evaluation of the Seismic Hazards Mapping Act. Its work will continue into 2009, with anticipation of a report from the TAC to be presented to the Committee by end of year. Furthermore, this Committee reviews and addresses slope stability issues on surface mine sites to achieve compliance with the Surface Mining and Reclamation Act and the SMGB's regulations.
- Minerals & Geologic Resources Committee: This current standing committee should remain. As more and larger developments occur throughout the State, some of the State's valuable mineral resource deposits designated by the Board as having regional significance are being threatened by incompatible land uses. The focus, funding, and direction of the classification and designation programs will require this Committee's attention. In addition, this Committee will likely pursue designation of additional mineral lands based on the recommendations set forth by the State Geologist, discuss strategies to enhance the State's mineral resources management program, and may need to develop recommendations for the California Geological Survey's minerals program in light of the State's difficult budget problems.
- Policy & Legislation Committee: This current standing committee should remain. It is anticipated that the Committee will continue to review new SMARA legislation, and consider modification of current regulations pertaining to the Surface mining and Reclamation Act (SMARA), the Alquist-Priolo Earthquake Fault Zoning Act, and possibly the Seismic Hazards Mapping Act. In addition, the Committee will continue to consider updates to the SMGB's Strategic Plan. This committee also reviews pending and proposed legislation and regulations for mining issues situated on federal lands.
- Surface Mining Standards Committee: This current standing committee should remain. The Committee's functions have increased with the assumption by the SMGB of SMARA lead agency status for about 50 individual sites including two counties, ten cities and twelve dredging operations located in the San



Francisco Bay area. The Committee has been active in the past year with SMARA reclamation issues. The Committee's activities are expected to remain constant throughout the next year. Issues this Committee will likely consider include review and finalization of a reclamation plan form to be used by the SMGB when serving as a lead agency pursuant to SMARA, idle and abandoned mines, mine fee schedule, administrative fees, exemptions, and the review of reclamation plans and associated documents.

EXECUTIVE OFFICER RECOMMENDATION: The above committee proposals present no conflicts with Statute or the SMGB's Bylaws. Approval of these committees and appointment of their members, or the creation of additional committees, are discretionary acts by the SMGB and its Chairman. The Executive Officer makes no recommendations regarding appointments of members to committees.

CHAIRMAN'S ACTION: At the SMGB's Regular Business Meeting held on February 14, 2006, the SMGB established/re-affirmed the four committees described earlier. With the appointment by the Governor of new SMGB Members, new Committee members need to be appointed. The Chairman has discretion to appoint members to fill existing vacancies on committees, and to reassign members to serve on other committees.

Respectfully submitted:

Stephen M. Testa
Executive Officer

